IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.3999 OF 2006

1. Surendra Khimandas Rijhwani, .. Petitioner

Vs

1. M/s Dwarka Hotels (Tourist) pvt Ltd and anr. .. Respondents.

Mr Sagar V Kasar i/by Mr H.E.Palwe, for the petitioner.
Mr M.M.Sathaye, for the respondents.

CORAM : D.B.BHOSALE,J.
DATE : 12.09.2006
PC:

1. Heard the learned counsel for the parties.

2. This petition is directed against the concurrent findings recorded by the Courts below in the proceedings under Order 21 rule 97 of the Code of Civil Procedure initiated by the petitioner. The petitioner claims to be a tenant of decreetal galas 11 and 12 and had prayed for adjudication of his independent right and obstructed the execution of the decree. I was taken through the findings recorded by the courts below. The courts below have recorded the concurrent the findings while rejecting the claim of the petitioner. I do not find any error in the findings recorded by the courts below. Both the courts have exhaustively dealt with the submissions urged before them and they have concurrently found that the petitioner has no right, title or interest in the decreetal galas 11 and 12. I have found

nothing which can justify my taking a different view in the matter. Considering the extremely limited jurisdiction of this Court under Article 227 of the Constitution of India to disturb the findings of fact, the writ petition is dismissed.

(D.B.BHOSALE,J.)